

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

PENNY MATHEWS, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 BRONGER MASONRY, INC., )  
 )  
 Defendant. )  
 )  
 )  
 1:09-cv-00478-SEB-DML

## **ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATIONS**

The Court has considered the Magistrate Judge's Report and Recommendations on the effect of Plaintiff Penny Mathews's motion for attorney fees (Dkt. Nos. 126, 139) on a settlement agreement and release she entered into with Defendant Bronger Masonry, Inc. The Court has also considered both parties' objections to the Magistrate Judge's report. (Dkt. Nos. 147, 148).

Having given de novo consideration to these issues, the Court finds that the Magistrate Judge's Report and Recommendation is well reasoned and supported by the facts as well as the law. Accordingly, the Court adopts the Magistrate Judge's Report and Recommendation in full and incorporates it by reference herein.

Therefore, it is ordered that Ms. Mathews's request to rescind the settlement agreement is GRANTED, and Ms. Mathews's Motion to strike Bronger's opposition brief to her motion for fees (Dkt. No. 135) is DENIED AS MOOT. The Magistrate Judge shall set a briefing schedule for Bronger's opposition to Ms. Mathews's motion for fees (Dkt. Nos.

126, 139) and any reply by Ms. Mathews. Furthermore, Ms. Mathews's motion to strike or stay Bronger's motion for sanctions (Dkt. No. 141) is DENIED AS MOOT and the Magistrate Judge shall set a briefing schedule for Ms. Mathews's opposition to that motion and any reply by Bronger.

IT IS SO ORDERED.

Date: \_\_\_\_\_

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